REMARKS

In response to the Office Action dated January 10, 2006, rejected claims 1-20, 93, and 94 have been amended. Therefore, allowed claims 95-98 are now the only claims in the case. As such, the application is now in condition for immediate allowance. Reexamination and reconsideration of the amended application are requested.

35 U.S.C. § 112, first paragraph Rejections

The Office Action rejected claims 1-20 and 93-98 under 35 U.S.C § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Office Action stated that the amended limitation, "a prediction module that provides history-based predictions for a value of each of the plurality of pixels, **the history-based predictions based on a history of actual pixel values and a history of predicted pixel values**", is not supported.

Moreover, for claim 95, the Office Action advised the Applicant to "clearly point out the support for the limitations specifically the predicting steps and classifying steps."

In response to the rejection of claims 1-20, 93 and 94, the Applicants have canceled these claims.

In response to the rejection of claims 95-98, the Applicants respectfully traverse these rejections. However, in an effect to further the prosecution of this application, the Applicants provide the following clarification for support of the predicting and classifying step limitations.

Regarding the predicting steps, the image processing method "provides at least two predictions of what value a particular pixel will be in the next frame to be processed" (specification, page 25, lines 7-9). One of these at least two predictions includes "predicting a subsequent pixel value based on actual past [or history] pixel values" (specification, page 25, lines 10-11). Another one of these at least two predictions

includes "predicting the subsequent pixel value based on predicted past pixel values" (specification, page 25, lines 11-12).

Regarding the classifying step, the image processing method processes each "on a pixel-by-pixel basis and is given an initial classification as either a background pixel or a foreground pixel (although subsequent processing by other modules could change this initial classification)" (specification, page 24, lines 1-3). "The pixel processing module uses a predictive technique and associated prediction parameters to provide multiple predictions about the value of a pixel in a subsequent frame. Any pixel that deviates significantly from these predicted values is classified as a foreground pixel; otherwise, the pixel is classified as a background pixel" (specification, page 24, lines 3-7).

Based on the arguments above, therefore, the Applicants respectfully submit that there is ample support for the limitations in claims 95-98, specifically the predicting and classifying steps. Therefore, the Applicants request the withdrawal of the rejection of claims 95-98 under 35 U.S.C § 112, first paragraph, as failing to comply with the written description requirement.

The Office Action rejected claims 14-20 under 35 U.S.C § 103(a) as being unpatentable over Zhang et al. In response, the Applicants have canceled claims 14-20.

35 U.S.C. § 103(a) Rejections

The Office Action rejected claims 1-7, and 9-19 under 35 U.S.C § 103(a) as being unpatentable over Sambonsugi et al. (U.S. Patent No. 6,335,985) in view of Sullivan et al. (U.S. Patent No. 5,287,200). In response, the Applicants have canceled claims 1-7 and 9-19.

The Office Action rejected claim 93 under 35 U.S.C § 103(a) as being unpatentable over Sambonsugi et al. and Sullivan et al. and further in view of Black

(U.S. Patent No. 5,802,203). In response, the Applicants have canceled claim 93.

The Office Action rejected claim 94 under 35 U.S.C § 103(a) as being unpatentable over Sambonsugi et al. and Sullivan et al. and further in view of Talluri (U.S. Patent No. 6,026,183). In response, the Applicants have canceled claim 94.

The Office Action rejected claims 8 and 20 under 35 U.S.C § 103(a) as being unpatentable over Sambonsugi et al. (U.S. Patent No. 6,335,985) in view of Sullivan et al. as applied to claim 7, and further in view of Jain et al. (U.S. Patent No. 6,263,091). In response, the Applicants have canceled claims 8 and 20.
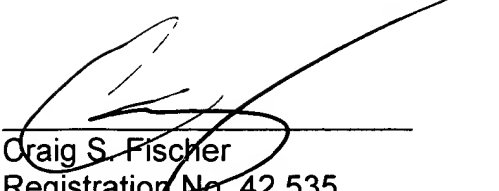
Allowable Subject Matter

The Applicants gratefully acknowledge and appreciate the allowance of claims 95-98. The Office Action stated that claims 95-98 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C § 112, first paragraph. Based on the arguments above, the Applicants submit that the rejections have been overcome.

In light of the cancellation of rejected claims 1-20, 93, and 94 all of the remaining claims are allowable. The Applicants, therefore, respectfully submit that subject application as amended is in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to pass this subject application to issue.

In an effort to expedite and further the prosecution of the subject application, the Applicants kindly invite the Examiner to telephone the Applicants' attorney at (805) 278-8855 if the Examiner has any comments, questions or concerns, wishes to discuss any aspect of the prosecution of this application, or desires any degree of clarification of this response.

> Respectfully submitted,
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